

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CHARLESTOWN TOWNSHIP,
Plaintiff,

v.

UNITED STATES SURETY COMPANY,
Defendant.

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CIVIL ACTION
NO. 17-5469

ORDER

AND NOW, this 22nd day of February, 2019, upon consideration of Defendant's Motion for Reconsideration of the Court's Order dated August 22, 2018 (ECF No. 16), the Response in Opposition thereto (ECF No. 18), and the Court's August 22, 2018 Memorandum and Order (ECF Nos. 13, 14), it is hereby **ORDERED** that said Motion is **GRANTED**, in part, and **DENIED**, in part, as follows:

1. Defendant's Motion for Reconsideration is **DENIED** in so far as the Court upholds the dismissal of Counterclaim Count I; and
2. Defendant's Motion for Reconsideration is **GRANTED** in so far as the Court construes said Motion as seeking leave to amend the Counterclaim.

It is further **ORDERED** that Defendant shall have leave to file an Amended Counterclaim within twenty-one (21) days of the filing of this Order.

BY THE COURT:

/s/ C. Darnell Jones, II
C. DARNELL JONES, II J.